



Immigration Act 1971

1971 CHAPTER 77

PART I

REGULATION OF ENTRY INTO AND STAY IN UNITED KINGDOM

4 Administration of control.

- (1) The power under this Act to give or refuse leave to enter the United Kingdom shall be exercised by immigration officers, and the power to give leave to remain in the United Kingdom, or to vary any leave under section 3(3)(a) (whether as regards duration or conditions) [^{F1}or to cancel any leave under section 3C(3A)], shall be exercised by the Secretary of State; and, unless otherwise [^{F2}allowed by or under] this Act, those powers shall be exercised by notice in writing given to the person affected, except that the powers under section 3(3)(a) may be exercised generally in respect of any class of persons by order made by statutory instrument.
- (2) The provisions of Schedule 2 to this Act shall have effect with respect to—
 - (a) the appointment and powers of immigration officers and medical inspectors for purposes of this Act;
 - (b) the examination of persons arriving in or leaving the United Kingdom by ship or aircraft [^{F3} . . .], and the special powers exercisable in the case of those who arrive as, or with a view to becoming, members of the crews of ships and aircraft; and
 - (c) the exercise by immigration officers of their powers in relation to entry into the United Kingdom, and the removal from the United Kingdom of persons refused leave to enter or entering or remaining unlawfully; and
 - (d) the detention of persons pending examination or pending removal from the United Kingdom;and for other purposes supplementary to the foregoing provisions of this Act.
- (3) The Secretary of State may by regulations made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make provision as to the effect of a condition under this Act requiring a person to register with the police; and the regulations may include provision—

Changes to legislation: Immigration Act 1971, Section 4 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) as to the officers of police by whom registers are to be maintained, and as to the form and content of the registers;
- (b) as to the place and manner in which anyone is to register and as to the documents and information to be furnished by him, whether on registration or on any change of circumstances;
- (c) as to the issue of certificates of registration and as to the payment of fees for certificates of registration;

and the regulations may require anyone who is for the time being subject to such a condition to produce a certificate of registration to such persons and in such circumstances as may be prescribed by the regulations.

- (4) The Secretary of State may by order made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make such provision as appears to him to be expedient in connection with this Act for records to be made and kept of persons staying at hotels and other premises where lodging or sleeping accommodation is provided, and for persons (whether [^{F4}British citizens] or not) who stay at any such premises to supply the necessary information.

Textual Amendments

- F1** Words in s. 4(1) inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), **ss. 62(2)**, 94(1); S.I. 2016/1037, [reg. 5\(g\)](#)
- F2** Words in s. 4(1) substituted (14.2.2000) by [1999 c. 33](#), s. 169(1), [Sch. 14 paras. 43, 45](#); S.I. 2000/168, [art. 2](#), [Sch.](#) (which amending provision is extended (with modifications) to Jersey (5.6.2003) by S.I. 2003/1252, [art. 2](#), [Sch.](#))
- F3** Words in s. 4(2)(b) repealed (2.8.1993) by S.I. 1993/1813, [arts. 9, 1](#), [Sch. 6 Pt. 1](#)
- F4** Words substituted by [British Nationality Act 1981 \(c. 61\)](#), s. 52(7), [Sch. 4 para. 2](#) (with [Sch. 8 para. 8](#))

Modifications etc. (not altering text)

- C1** Ss. 1-9, 11 extended (with modifications) (Guernsey) (1.8.1993) by [The Immigration \(Guernsey\) Order 1993 \(S.I. 1993/1796\)](#), [arts. 1, 3\(1\)](#), [Sch. 1 Pt. 1](#)
- C2** Ss. 1-9, 11 extended (with modifications) (Jersey) (1.8.1993) by [The Immigration \(Jersey\) Order 1993 \(S.I. 1993/1797\)](#), [arts. 1, 3\(1\)](#), [Sch. 1 Pt. 1](#) (as amended (17.10.2012) by S.I. 2012/2593, [arts. 1, 2\(2\)](#); and (coming into force in accordance with art. 1 of the amending S.I.) by S.I. 2017/981, [Sch. Pt. 1 para. 1](#) (with [art. 6](#)))
- C3** S. 4 modified by S.I. 1994/1405, [art. 7](#) (as amended (coming into force in accordance with art. 1(3) of the amending S.I.) by [The Channel Tunnel \(International Arrangements and Miscellaneous Provisions\) \(Amendment\) Order 2020 \(S.I. 2020/915\)](#), [arts. 1\(3\), 11](#))
- C4** S. 4 modified (30.9.2020 immediately after the entry into force of S.I. 2020/915, [art. 5](#)) by [The Channel Tunnel \(Arrangements with the Kingdom of the Netherlands\) Order 2020 \(S.I. 2020/916\)](#), [arts. 1\(3\), 6](#)
- C5** S. 4(2)(b) modified (2.8.1993) by S.I. 1993/1813, [arts. 7\(1\), 1](#), [Sch. 4 para. 1\(3\)](#)

Changes to legislation:

Immigration Act 1971, Section 4 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2008 c. 4 s. 133\(7\)\(8\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(1A)(1B) inserted by [1999 c. 33 Sch. 14 para. 47\(3\)](#)
- s. 24(1)(fa) inserted by [2023 c. 37 s. 10\(2\)](#)
- s. 24C-24F inserted by [2016 c. 19 s. 44\(2\)](#)
- s. 26A(1)(b)(ia) inserted by [2016 c. 19 Sch. 11 para. 25](#)
- s. 27(1)(aa) inserted by [2023 c. 37 s. 10\(3\)\(a\)](#)
- s. 27(1)(ba) inserted by [2023 c. 37 s. 10\(3\)\(b\)](#)
- s. 28CA(1)(bb) substituted for word in s. 28CA(1)(b) by [2016 c. 19 s. 44\(5\)](#)
- Sch. 2 para. 27B(4A) inserted by [2004 c. 19 s. 16](#)
- Sch. 2 para. 26(4) inserted by [2016 c. 19 s. 74\(1\)](#)
- Sch. 2 Pt. 1A inserted by [2016 c. 19 Sch. 13](#)
- Sch. 2 para. 11A inserted by [2023 c. 37 s. 10\(4\)](#)